

TMH:jlb 4/25/01 245-53722 48101

PATENT  
Attorney Reference Number 245-53722

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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Ream *et al.*

Art Unit: Not yet assigned

Application No. 09/434,837

CERTIFICATE OF MAILING

Filed: November 4, 1999

For: PLANTS HAVING ENHANCED  
RESISTANCE TO GALL AND METHODS  
AND COMPOSITIONS FOR PRODUCING  
SAME

I hereby certify that this paper and the documents referred to  
as being attached or enclosed herewith are being deposited  
with the United States Postal Service on April 25, 2001, as  
First Class Mail in an envelope addressed to: Box DAC,  
COMMISSIONER FOR PATENTS, WASHINGTON D.C.  
20231.

Examiner: Not yet assigned

Date: April 25, 2001

Tanya M. Harding, Ph.D.  
Attorney for Applicant

MISCELLANEOUS TRANSMITTAL LETTER

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PETITIONS OFFICE

BOX DAC  
COMMISSIONER FOR PATENTS  
WASHINGTON, DC 20231

Enclosed for filing in the application referenced above is a Petition for Withdrawal of  
Abandonment under 37 C.F.R. §1.8(b), with attached Exhibits A-C.

- ☒ The Director is hereby authorized to charge any fees that may be required to Account No.  
02-4550. A copy of this sheet is enclosed.
- ☒ Please return the enclosed postcard to confirm that the items listed above have been  
received.

Respectfully submitted,

KLARQUIST SPARKMAN CAMPBELL  
LEIGH & WHINSTON, LLP

By

Tanya M. Harding, Ph.D.  
Registration No. 42,630

One World Trade Center, Suite 1600  
121 S.W. Salmon Street  
Portland, Oregon 97204  
Telephone: (503) 226-7391  
Facsimile: (503) 228-9446  
cc: Docketing

TMH:jlb 04/25/01 47201  
PATENT

Attorney Reference Number 245-53722  
Application Number 09/434,837

This information is being submitted promptly after applicant has learned of the abandonment on the basis of applicant's own procedures in monitoring the progress of this case. Applicants note that it appears the executed Declaration was mistakenly separated from the Response and submitted to the Assignments division, where it was recorded as though part of the Assignment at Reel 010520, Frames 0754-0760 and 0785-0788.

Applicants request that the abandonment of this case be withdrawn. Acknowledgement of the active status of this application is respectfully requested.

Please proceed with substantive examination of the application on the basis of the attached copy of the response to the Notice to File Missing Parts.

Respectfully submitted,

KLARQUIST SPARKMAN CAMPBELL  
LEIGH & WHINSTON, LLP

By

Tanya M. Harding, Ph.D.  
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RJP:PAD:jab:djs 1/24/00 245-53722

PATENT

Attorney's Matter No. 245-53722

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Art Unit: 1649

Ream et al.

Application No.: 09/434,837

Filed: November 4, 1999

For: PLANTS HAVING ENHANCED GALL  
RESISTANCE AND METHODS AND  
COMPOSITIONS FOR PRODUCING  
SAMECERTIFICATE OF MAILING

I hereby certify that this paper and the documents referred to as being attached or enclosed herewith are being deposited with the United States Postal Service on January 24, 2000, as First Class Mail in an envelope addressed to: BOX MISSING PARTS, ASSISTANT COMMISSIONER FOR PATENTS, WASHINGTON D.C. 20231.

*[Signature]*  
Attorney for Applicant

Examiner: Not Assigned

Date: January 24, 2000

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TRANSMITTAL LETTERTO THE ASSISTANT COMMISSIONER FOR PATENTS  
Washington, DC 20231

Enclosed for filing in the application referenced above are the following:

- ☒ Copy of Notice to File Missing Parts of Application--Filing Date Granted dated December 2, 1999.
- ☒ Two Assignments and Recordal Fees of \$80.00
- ☒ Combined Declaration and Power of Attorney
- ☒ Surcharge for Late Filing of Fee or Oath or Declaration:
  - ☒ \$65.00 - Small Entity
  - \$130.00 - All Others
- ☒ A check in the amount of \$145.00 to cover the above-listed fees.
- ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit over-payment, to Account No. 02-4550.  
A copy of this sheet is enclosed.

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PATENT

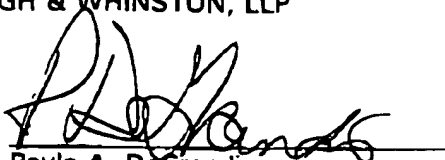


Please return the enclosed postcard to confirm that the items listed above have been received.

Respectfully submitted,

KLARQUIST SPARKMAN CAMPBELL  
LEIGH & WHINSTON, LLP

By



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## UNITED STATES DEPARTMENT OF COMMERCE

Patent and Trademark Office

Address: COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

| APPLICATION NUMBER | FILING/RECEIPT DATE | FIRST NAMED APPLICANT | ATTORNEY DOCKET NO./TITLE |
|--------------------|---------------------|-----------------------|---------------------------|
|                    |                     |                       |                           |

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PETITIONS OFFICE

DATE MAILED:

### NOTICE TO FILE MISSING PARTS OF APPLICATION

*Filing Date Granted*

An Application Number and Filing Date have been assigned to this application. The items indicated below, however, are missing. Applicant is given **TWO MONTHS FROM THE DATE OF THIS NOTICE** within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a). If any of items 1 or 3 through 5 are indicated as missing, the **SURCHARGE** set forth in 37 CFR 1.16(e) of ☐ \$65.00 for a small entity in compliance with 37 CFR 1.27, or ☒ \$130.00 for a non-small entity, must also be timely submitted in reply to this NOTICE to avoid abandonment.

If all required items on this form are filed within the period set above, the total amount owed by applicant as a ☐ small entity (statement filed) ☒ non-small entity is \$ 130.00.

☐ 1. The statutory basic filing fee is:

- ☐ missing.  
☐ insufficient.

Applicant must submit \$ \_\_\_\_\_ to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).

☐ 2. The following additional claims fees are due:

\$ \_\_\_\_\_ for \_\_\_\_\_ total claims over 20.

\$ \_\_\_\_\_ for \_\_\_\_\_ independent claims over 3.

\$ \_\_\_\_\_ for multiple dependent claim surcharge.

Applicant must either submit the additional claim fees or cancel additional claims for which fees are due.

☐ 3. The oath or declaration:

- ☒ is missing or unsigned.  
☐ does not cover the newly submitted items.

An oath or declaration in compliance with 37 CFR 1.63, including residence information and identifying the application by the above Application Number and Filing Date is required.

☐ 4. The signature(s) to the oath or declaration is/are by a person other than inventor or person qualified under 37 CFR 1.42, 1.43 or 1.47.

A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.

☐ 5. The signature of the following joint inventor(s) is missing from the oath or declaration:

An oath or declaration in compliance with 37 CFR 1.63 listing the names of all inventors and signed by the omitted inventor(s), identifying this application by the above Application Number and Filing Date, is required.

☐ 6. A \$50.00 processing fee is required since your check was returned without payment (37 CFR 1.21(m)).

☐ 7. Your filing receipt was mailed in error because your check was returned without payment.

☐ 8. The application was filed in a language other than English.

Applicant must file a verified English translation of the application, the \$130.00 set forth in 37 CFR 1.17(k), unless previously submitted, and a statement that the translation is accurate (37 CFR 1.52(d)).

☐ 9. OTHER: \_\_\_\_\_

Direct the reply and any questions about this notice to "Attention: Box Missing Parts."

**A copy of this notice MUST be returned with the reply.**

Customer Service Center  
Initial Patent Examination Division (703) 308-1202